

To The Honorable District Court
Alabama, Northern Division

Ronnie Townsend
Plaintiff

vs.
Lt. Copeland, et al.,
Respondent

Civil Action No:
2:06CV564

"Motion for Reconsideration"

Come now the plaintiff Ronnie Townsend
(hereinafter Townsend) and moves this
Honorable Court with his Motion for
Reconsideration and states the following in
support:

1. On the 20th day of May 2006, Townsend
files his civil complaint alleging;

A.

On or about the 24th day of May, 2004 the
defendants cause him injury by subjecting him to
cruel and unusual punishment in violation of
the Eighth Amendment to the United States
Constitution, made applicable to the states through
the Fourteenth Amendment, that is lack of
medical treatment, RETALIATION violations of his
due process and unconstitutional conditions of
confinement.

② On the 18th day of June 2006 magis~~late~~ Judge Charles S. Cooney grants Plaintiff's motion for pro se
pro se status pursuant to 28 U.S.C. Sec.,
1915(b)(1) and 1915(b)(2).

③ After several extensions the defendants
files their answer and special report on the
7th day of August, 2006.

④ On the 3rd day of October, 2006 Townsend
files his response.

⑤ On the 2nd day of October, 2006 the
magistrate issues an order granting motions
to substitute and amend caption Edward
Edward as a defendant. He was also
ordered to file his special report by
October 23, 2006.

⑥ On the 14th day of December, 2006 the
Court issue an order that an evidentiary
hearing was necessary to determine the
date of filing for his complaint.

⑦ On the 17th day of January, 2007 the court
issues an order setting the hearing date
to be the 20th day of February, 2007.

⑧ On the 26th day of March, 2007 the
defendants files their supplemental special
report.

⑨ The hearing was rescheduled for the
20th day of March, 2007.

(10.) During the Hearing testimony was given that Townsend's mail had been tampered with, on the past. That he put three(s) stamps on the envelope, but they were removed and mailed out late.

(11.) On the 23rd day of April, 2007 United States District Judge Myron K. Thompson issues an order. The Magistrate's report and recommendation was to be adopted. HE also issues and order, Judgment and Decree that the case was Dismissed with pre-judge pursuant to §28 U.S.C. sec. 1915.

Reason Why Motions
is to be Granted

At no time did Townsend RECEIVE A copy of the Magistrate's Report and Recommendation. HE moves the Court pursuant to rule 201(d), Federal Rules of Evidence to take Judicial Notice of the entire record on this cause, As well as the "Legal Mail Log" for the month etc, His copy of the Magistrate report was affens to have been forwarded to him.

A review of the legal mail log for "incoming" mail will clearly show that Townsend was not afforded a full and fair opportunity to file his Objection to the Magistrate's Report and Recommendation. (see Exhibit A)

Therefore, for the reasons stated above Townsend humbly prays the court grant this motion and provide Townsend a sufficient opportunity to exercise his rights as a citizen of these United States of Alabama.

DATE: 5-20-07

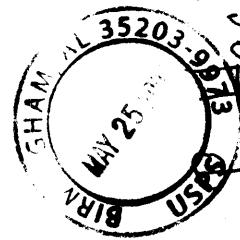
Respectfully Submitted
s/ Ronnie Townsend

Certificate of Service

Alabama Department Of Corrections
301 - South Riley Street
Montgomery, Ala., 36130

DATE: 5-20-07

Pursuant to Houston v. Lack
487 U.S. 266 (1988)



Ronnie Townsend #121142
A-27-L
100 Warrior Lane
Bessemer, Ala.
35023-7299

Debra Packett
Office of The Clerk
United States District Court
P.O. Box 711
Montgomery, Alabama
36101-0711

(Legal Mail.)